## I. Call to Order

Chairman Alex Vispoli reconvened the Regular Meeting of the Board of Selectmen to order at 7:16 P.M. in the Selectmen's Room in the Town Offices. Present from the Board of Selectmen: Chairman Vispoli-Y and Selectmen Paul Salafia-Y, Brian Major-Y, Mary Lyman-Y, and Dan Kowalski-Y. Also present: Town Manager Reginald S. Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cablecast live.

## II. Executive Session

Chairman Vispoli called the meeting to order at 6:05 P.M. in the School Committee Room located in the Board of Selectmen's Meeting Room at the Town Offices. Selectman Kowalski motioned the Board of Selectmen enter into Executive Session to discuss litigation strategy and the purchase and value of real property with Town Counsel and Special Counsel, strategy regarding non-union personnel, and to review Executive Session Minutes and to return to Open Session. Roll call: Chairman Vispoli-Y and Selectmen Dan Kowalski-Y, Brian Major-Y, Paul Salafia-Y and Mary Lyman-Y. At 7:10 P.M. on a motion by Selectman Major and seconded by Selectman Kowalski, the Board voted to adjourn to Open Session and to return to Executive Session. Roll call: Chairman Vispoli-Y and Selectmen Dan Kowalski-Y, Brian Major-Y, Paul Salafia-Y and Mary Lyman-Y. At 9:53 P.M., Chairman Vispoli reconvened the Executive Session and at 10:14 P.M. on a motion duly made and seconded the Board voted 4-0 to adjourn from Executive Session and not to return to Open Session. Roll call: Chairman Vispoli-Y and Selectmen Dan Kowalski-Y, Brian Major-Y, Paul Salafia-Y and Mary Lyman-Y.

## III. Opening Ceremonies

# A. Moment of Silence/Pledge of Allegiance

Chairman Vispoli led the meeting in a Moment of Silence followed by the Pledge of Allegiance.

## IV. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

- ~ The Veterans' Day Ceremonies held last week ended with a very moving program at the Ballardvale Green honoring twenty-six Veterans from the Korean War. Veterans Services Director Mike Burke and the Patriotic Committee did an excellent job in organizing the event.
- ~ The Mid-Year Review will be held on November 20<sup>th</sup> in the School Committee Room. The Economic Development Council will also give a presentation at the meeting and Barry Bluestone, who is keen on manufacturing, will speak as well.
- ~ The Holiday Parade will take place on Sunday, December 1st starting at 1:00 P.M.
- ${\sim}$  A continued discussion on the correct spelling of Bartlet (Bartlett) Street will appear on an upcoming agenda.

Selectman Salafia congratulated Iron Stone Farm on their successful charity event held on Saturday night.

Selectman Lyman reported that the Commission on Disability is meeting on November 20<sup>th</sup> at 7:00 P.M. at the Memorial Hall Library.

Selectman Major announced that he and Selectman Salafia will interview candidates for the Zoning Board of Appeals on Tuesday, November 26<sup>th</sup> from 5:30 P.M.-8:00 P.M. Selectman Major also encouraged everyone to attend the AHS Musical "Thoroughly Modern Millie" at the Collins Center this weekend and the Ballardvale Annual Tree Lighting which will take place on Sunday, December 8<sup>th</sup> at 5:00 P.M.

Chairman Vispoli thanked Veterans Services Director Mike Burke and the Patriotic Committee on the Veterans' Day Ceremonies noting that the Korean War Veterans' ceremony was very moving and the book of their personal stories amazing. Congratulations to the Central Catholic High School Football Team for beating Everett High School and now moving on to the Super Bowl.

#### V. Citizens Petitions & Presentations

Diane Costagliola, Chair of the Andover Youth Foundation, presented a check to the Town in the amount of \$1,984,863.00 (in addition to the \$858,700 previously given) for the construction of the Cormier Youth Center. Mrs. Costagliola thanked everyone who has been pursuing this passion for the past seventeen years especially the Youth Center Building Committee and the Plant and Facilities Department.

Mary Carbone, 3 Cyr Circle, reminded the Town Manager the first project that should be addressed is the Town Yard.

Tom Deso, 81 High Street, hopes the Board and Town officials will attend the public hearing by the Department of Elementary & Secondary Education on the proposed STEAM Studio Charter School on Thursday, November 21<sup>st</sup> at the Memorial Hall Library from 4:00 P.M.-6:00 P.M. and share their positions. Information on the charter school is available on DESE's website, the School Committee released their position statement last week and the Finance Committee discussed the financial impact on the Town/School budget at their meeting this week.

## VI. Public Hearings

## A. <u>Skating Rink in The Park</u>

Chairman Vispoli read the request from the Division of Community Services (DCS) to construct a skating rink in The Park, 36 Bartlet Street, for the 2013-2014 Winter season. The proposed skating rink will be approximately 40' by 60' and constructed along the side

of The Park adjacent to the Town Offices parking lot. The discussion at the last meeting led to the request for DCS to confirm liability insurance and report back to the Board. DCS Director Mary Montbleau confirmed liability insurance for The Park is in place and they will post a "Skate at Your Own Risk Sign". DCS will build a list of volunteers to assist with clearing the ice after snowstorms. The rink will be for skating only, no hockey. John Pasquale, 46B Whittier Street, asked where the funding was coming from and he thought a plan for The Park was being formulated. Brian Major said the skate rink is not a permanent structure. The Town Manager said a master plan is being developed. Town Planner Lisa Schwartz said the skating rink is not in conflict with the work of the Master Plan. All the neighbors have been notified and abutter Nancy Jeton notified the Board she is in support of the project.

Mike Roli, 2 College Circle, sees this as a 'Currier & Ives' moment for The Park in the Winter. It will be tastefully done, utilized at night and a nice idea.

Chairman Vispoli closed the public hearing at 7:45 P.M. On a motion by Selectman Major and seconded by Selectman Kowalski, the Board of Selectmen unanimously voted to approve the Skate Rink in the Park.

## B. <u>FY-2014 Tax Classification</u>

Chief Assessor David Billard provided information on the Annual Tax Classification determination in which the Board has four votes to set: 1) Adoption of a Residential factor for the purpose of determining the percentage tax load to be borne by each class of property; 2) determination of a discount factor of up to 25% for all landed identified as Open Space; 3) the determination of a residential exemption factor up to 20%; and 4) determination of a small commercial exemption of up to 10%. Mr. Billiard reviewed comparisons of 2013 to 2014 for property valuation changes, classification data (residential, open space, commercial, industrial, and personal property), and the total assessed value of residential vs. commercial class.

Mr. Billiard showed a table of FY-2014 estimated tax rates using various factors. The 2013 Shift Factor for 2013 was 147.5% which produced a residential rate of \$14.51 and a commercial rate of \$24.26. He explained the effects of several rates and noted that the 147.5 factor used last year would result in a residential rate of \$15.16 and \$25.34 for commercial; a 148 shift factor would result in a residential rate of \$15.14 and a commercial rate of \$25.43; while a 149 shift factor would result in a residential rate of \$15.10 and a commercial rate of \$25.60.

The Board discussed the tax comparison rates and how to find a balance between residential and industrial. The Board will vote their decision at the December  $2^{nd}$  Board Meeting.

Joe Bevilacqua, President and CEO of the Merrimack Valley Chamber of Commerce, pointed out that commercial and industrial companies in the Town of Andover provide jobs and are an important factor in the Town, using less of the Town and School services than residents. He urged the Board to consider reducing their tax rate. Reduction of their property tax is one area where a reduction can and will assist companies to remain competitive and viable (especially smaller businesses), retain their employees and pay a fair property tax.

Mary Carbone, 3 Cyr Circle, suggested the Board consider adopting the 148 factor for residents. John Pasquale, 47B Whittier Street, said a lot of companies are making money in Town and residents are fed up. He does not want to see more of a burden placed on the residents. Mike Roli, 2 College Circle, asked the Board to think about the residents and especially the seniors.

## C. <u>FY-2015 – FY-2019 Capital Improvement Plan</u>

The Town Manager said the presentation of the Capital Improvement Projects (CIP) denotes the beginning of the budget process. The Town Department Heads submitted their CIP requests totaling \$16.3 million for FY-15 and after a series of meetings and a review of the availability of funds, the Town Manager is recommending a FY15 CIP of \$9,095,000 funded from the following sources: General Fund Revenue \$2,370,000; General Fund Borrowing \$3,960,000; General Fund Exempt Borrowing \$TBD; Special Dedicated Funds \$1,950,000; and the Water & Sewer Enterprise Funds \$815,000. The Pay-As-You-Go program funds a variety of capital projects which will be discussed at the departmental budget presentations (Town and School).

Items paid through General Fund Borrowing in the amount of \$3,960,000 include new sidewalk construction, Town and School energy initiatives and major projects, Town playground replacements, paving at Deyermond Ballfields, School site improvement plan for West Elementary School, purchase of large highway vehicles, Conservation land acquisitions and virtual desktop deployment.

The two large capital projects from General Fund Exempt Borrowing include Phase I of the Ballardvale Fire Station with a report from the Building Committee in December and a Renovation Study for Andover High School with information to be presented in January. Future exempt projects include land acquisition for the purchase of the Phillips Academy Boathouse, the Reichhold Playing Fields, Town Yard/Municipal Facility construction study and a study for the Early Childhood Center (replacement of the Shawsheen School). The Town Manager is recommending all projects be presented in a two-step process – 1) design and analysis and 2) construction.

Special Dedicated Funds will be used to fund the Annual PC Replacement and Lease Program (IT1) in the amount of \$360,000; PL-1 Parking Management Plan \$18,000, RK-1

Parking Meter Replacement \$60,000; PRK-2 Parking Enforcement Vehicle \$40,000; DPW-1 Annual Road Maintenance (Chapter 90) for \$1,377,000; P&F-3 Spring Grove Cemetery Maintenance \$6,000; and P&F-5 Athletic Field Maintenance for \$89,000 totaling \$1,950,000. The Town Manager recommends in subsequent years the original plan to use Cable TV Funds for the IT-1 Lease Program be used and considered as a Fixed Cost.

Items for the CIP from the Water & Sewer Enterprise Funds includes a GIS Data Update in the amount of \$30,000; DPW-12 Water & Sewer Vehicle for \$85,000; DPW-16 Water & Sewer Rate Study \$100,000; DPW-17 Fire Hydrant Infrastructure Maintenance for \$500,000; and DPW-18 Sewer Master Plan Study for \$100,000. The water and sewer rate for FY-15 should be voted at the December 2<sup>nd</sup> meeting of the Board of Selectmen. The Town Manager noted that they are revising the structure of the water and sewer bills and looking at sewer capacity and possible increasing in the Lowell Junction and Dascomb Road areas.

The Town Manager expects an increase in revenue for FY15 of 3.5% and a 6.5% increase in expenditures, and a 2.5% increase in the balance for operations. He noted that the information in the CIP is available on the Town's website.

#### Comments:

John Pasquale, 46B Whittier Court, inquired if any of the CIP funds would be available to alleviate the safety concerns on Tewksbury Street.

Mike Roli, 2 College Circle, suggested the School Administration move into the Shawsheen School so that the Senior Center could utilize the space on the 2<sup>nd</sup> and 3<sup>rd</sup> floor of the School Administration Building. The Center at Punchard is located on the 1<sup>st</sup> floor and one of two senior centers located in the basement of a municipal building.

Mary Carbone, 3 Cyr Circle, said the Parking Study was rejected at Town Meeting and, therefore, we should not be paying for the study.

# VII. Regular Business of the Board

#### A. Amendments to Regulations for the Use of The Park – First Reading

The Town Manager said the Rules & Regulations for The Park are out of date and need to be made more current and brought into compliance through some minor language adjustments. The Board will review the amendments to the Regulations for the Use of The Park to reflect the Board's vote on October 7, 2013 regarding the delegation of authority to the Town Manager for licensing/permitting requests and vote on additional changes at the next meeting.

## B. <u>Town Accountant Subcommittee</u>

Selectmen Mary Lyman and Dan Kowalski said two candidates for the position of Town

Accountant have been recommended and will be brought forward to the Board for consideration.

# C. <u>Community Innovation Challenge Grants</u>

The Town Manager requested the Board of Selectmen vote to approve the three Community Innovation Challenge Grants to be submitted on November 22, 2013 for consideration. The grants are as follows:

- 1) Clearing House for Innovation to bring together the Eastern Massachusetts Municipalities for collaboration on innovative cost-saving opportunities.
- 2) To join together with the Merrimack Valley Planning Commission to look at addressing the Storm Water Management Program and establishing a venue to assist with funding as a utility.
- 3) To partner with the City of Lowell in developing a State-wide IT Exchange of Information Center focused on the needs of Municipal IT Managers.

On a motion by Selectman Major, seconded by Selectman Salafia, the Board of Selectmen voted 4-0 to approve the Community Innovation Challenge Grants as presented. Selectman Lyman was not present at the time of the vote.

## VIII. Consent Agenda

# A. <u>Appointments and Re-Appointments</u>

Selectman Kowalski motioned that the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE

## **COMMUNITY SERVICES**

Maria A. Hernandez Enrichment Instructor/PT \$30/hr. 1/27/14

# CONSERVATION OVERSEERS – Terms expire 6/30/16

Scott L. Hill – Reservation to be assigned by the Conservation Commission Edward K. Anson – Carmel Woods

The motion was seconded by Selectman Lyman and voted 5-0 to approve.

## IX. Approval of Minutes from Previous Meetings

Selectman Kowalski motioned to approve the minutes of the October 21, 2013 Tri-Board Meeting, October 21, 2013 Special Meeting, October 28, 2013 Special Meeting and the November 4, 2013 Regular Meeting as presented. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

# X. Adjournment

At 9:53 P.M. on a motion by Selectman Major and seconded by Selectman Kowalski, the Board voted 5-0 to adjourn from Open Session and move to Executive Session, not to return to Open Session. Roll call: Chairman Vispoli-Y and Selectmen Paul Salafia-Y, Brian Major-Y, Mary Lyman-Y and Dan Kowalski-Y.

Respectfully submitted,

Dee DeLorenzo Recording Secretary

Documents: Public Hearing Request – Skating Rink in The Park

Regulations for Use of The Park

Application for Community Innovation Challenge Grant

Clarification of Property Tax

Letter from Joseph Bevilacqua, President & CEO, Merrimack Valley Chamber of

Commerce